

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 19, 2002

D037947 People v. Fox

Reversed and remanded. O'Rourke, J.; We Concur: Nares, Acting P.J., McIntyre, J.

D039487 In re Asianae H., a Juvenile

The order terminating J.'s parental rights and selecting adoption as the permanent plan for A. is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McConnell, J.

D039525 Brown v. Superior Court of San Diego County/People

Let a writ of mandate issue ordering the Superior Court of San Diego County to vacate its order imposing polygraph condition 10(o) and to enter an order imposing periodic polygraph testing as condition of probation that limits the questions allowed to those relating to the successful completion of the court mandated stalking therapy program and the crime of which Brown was convicted. Payment of the costs of such testing shall not be included in this condition of probation. Before the court may order Brown to pay any or all of the reasonable costs of the polygraph testing, it must, pursuant to section 1203.1b, make an inquiry and determination as to Brown's ability to pay and determine the amount of payment. CERTIFIED FOR PUBLICATION. McIntyre, J.: We Concur: Haller, Acting P.J., McDonald, J.

D039965 In re Shawna L., a Juvenile.

Judgment affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D040633 People v. Brown

In that appellant's probation was terminated and no sentencing occurred, the appeal in SCD155879 is dismissed as moot.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 20, 2002

D039561 In re West on Habeas Corpus

The petition is dismissed as moot.

D038160 People v. Velarde et al.

Velarde's judgment is affirmed as modified. The trial court is directed to prepare an amended abstract of judgment reflecting the modifications and to forward a copy of it to the Department of Corrections. Chavez's current conviction is affirmed. The true finding is reversed, and the sentence imposed is vacated. The matter is remanded for resentencing. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D038477 People v. West

The judgment is affirmed, except the true findings on the allegations that the appellant's two prior juvenile adjudications qualify as strikes under the Three Strikes law are reversed, and the matter is remanded to the trial court for resentencing consistent with this opinion. McDonald, J.; We Concur: Huffman, Acting P.J., Haller, J.

D040291 Nancy S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D035742 In re the Marriage of Evans

Order affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D037484 McBrearty v. City of Brawley et al.

Order reversed. Appellant to recover her costs on appeal. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

D037340 People v. McGriff, Jr.

The opinion filed July 23, 2002 is modified. No change in judgment. As modified, the petition for rehearing is denied.

D039587 People v. Phiri

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed.

D039917 Zamudio et al. v. Burchard/Progressive Insurance Company, Inc., et al.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 21, 2002

D039379 In re D.M., a Juvenile

D039895 In re D.M. on Habeas Corpus

(consolidated) Guillermo's motion to strike is denied. The judgment is affirmed. The petition is denied. McDonald, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D039518 In re A.L. a Juvenile

D040072 In re A.L. on Habeas Corpus

The petition for writ of habeas corpus is consolidated with the appeal for disposition.

D039518 In re A.L. a Juvenile

D040072 In re A.L. on Habeas Corpus

The order selecting adoption as the permanent plan for A. and terminating parental rights is affirmed. The petition for writ of habeas corpus is denied. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D040196 Alfredo A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D039413 In re Emilie S., a Juvenile.

The orders are affirmed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D038173 American Central v. Acceptance Insurance

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

D039808 In re William A., a Juvenile

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D039627 People v. Franklin

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D039307 In re Victoria H., a Juvenile

The order is affirmed. Benke, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D040631 Lasher v. Superior court of San Diego County/Lasher

The petition is denied.

D040540 In re Self on Habeas Corpus

The petition is denied.

D040435 Safeco Insurance Company of America v. Superior Court of San Diego County/Simoes et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
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August 21, 2002

D040471 In re Sakey on Habeas Corpus

The petition is denied.

D040593 Overton v. Superior Court of San Diego County/Cox

The petition is denied.

D040516 In re Guerrero on Habeas Corpus

The petition is denied.

D040442 Fitzgerald v. City of San Diego

Upon written stipulation filed by the parties, the appeal is dismissed.

D040518 In re Marcus on Habeas Corpus

The petition is denied.

D040574 In re Sambrano on Habeas Corpus

The petition is denied without prejudice to refiling after consideration by the superior court.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 22, 2002

D039938 In re Keira R., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McConnell, J.

D040584 Windham at Carmel Mountain Ranch Association v. Superior Court of the County of San Diego/The Presley Companies et al.

The petition is denied as there is an adequate remedy by appeal.

D038711 People v. Lowrie

The order denying the expungement is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D038602 People v. Williams

The judgment is affirmed. McIntyre, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D038421 People v. Messex

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D038862 Sinasohn v. Trugreen, Inc.

The judgment is reversed as to the causes of action for intentional interference with contract, intentional interference with economic advantage and negligent interference with economic advantage. It is affirmed in all other respects. McIntyre, J.; We Concur: Benke, Acting P.J., Nares, J.

D039171 In re Rebecca L., a Minor

The order denying Terri's section 388 petition and the order terminating her parental rights as to Cheyenne and selecting adoption as to Cheyenne's permanent plan are affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Haller, J.

D040595 In re Holland on Habeas Corpus.

The petition is denied.

D040137 In re Lugo on Habeas Corpus

Let an order to show cause issue why the relief prayed for in the petition should not be granted. The order to show cause is made returnable before the superior court.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 23, 2002

D037913 People v. Marks

The judgment is reversed. Huffman, Acting P.J; We Concur: Haller, J., McDonald, J.

D040621 Russell v. Superior Court of San Diego County/Smith

The petition is denied.

D040328 Augusta v. Lenser et al.

The appeal is dismissed.

D040665 Kia Motors America, Inc. v. Superior Court of San Diego County/Dulansky

The petition is denied.